

## ORDINANCE NO. 682

### **AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON INCREASING SETBACKS FOR DEVELOPMENT IN COMMERCIAL ZONE TRANSITION AREAS; AND AMENDING TABLE 20.50.020(2) OF SHORELINE MUNICIPAL CODE**

WHEREAS, the City of Shoreline is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and planning pursuant to the Growth Management Act, Title 36.70C RCW; and

WHEREAS, pursuant to RCW 36.70A.370, the City has utilized the process established by the Washington State Attorney General so as to assure the protection of private property rights; and

WHEREAS, pursuant to RCW 36.70A.106, the City has provided the Washington State Department of Commerce with a 60-day notice of its intent to adopt the amendment(s) to its development regulations; and

WHEREAS, after a multi-year review process for the Town Center Plan, on March 18, 2013, the City Council adopted Ordinance No. 654 establishing Commercial Design Standards, including those set forth in Table 20.50.020(2); and

WHEREAS, Ordinance No. 654 adopted the Commercial Design Standards recommended by the City of Shoreline Planning Commission with one exception related to front yard setbacks for buildings in commercial zones when across the street from single-family residential zones, referred to as Transition Areas in SMC 20.50.021. The City Council elected to reduce the setback from 15 feet to 0 feet; and

WHEREAS, the environmental impacts of the amendment was previously considered during the City Council's adoption of Ordinance 654, resulting in the issuance of a Determination of Non-Significance (DNS) on October 3, 2012. Pursuant to WAC 197-11-600, the SEPA Responsible Official for the City of Shoreline adopts and incorporates by reference that DNS; and

WHEREAS, on April 22, 2013, the City Council reconsidered its decision to reduce the front yard setbacks and remanded the matter to the City of Shoreline Planning Commission for study, a public hearing, and a recommendation; and

WHEREAS, the City of Shoreline Planning Commission held a study session on September 5, 2013 to consider the amendment and received public testimony; and

WHEREAS, the City of Shoreline Planning Commission held a public hearing on October 3, 2013 to consider the amendment and received public testimony; and

WHEREAS, as in a letter dated October 30, 2013, the Planning Commission recommended that setbacks for commercial zone buildings in transition areas across rights-of-ways from R-4, R-6, and R-8 zones be a minimum of 15 feet; and

WHEREAS, on December 2, 2013, the City Council held a study session to consider the amendment; and

WHEREAS, on January 6, 2014 the City Council considered the entire public record, public comments, written and oral, and the Planning Commission's recommendation; and

WHEREAS, the City provided public notice of the amendment and the public hearings as provided in SMC 20.30.070; and

WHEREAS, the City Council has determined that the amendment is consistent with and implements the Shoreline Comprehensive Plan and serves the purpose of the Unified Development Code as set forth in SMC 20.10.020;

**THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1. Amendment.** Title 20 of the Shoreline Municipal Code, Table 20.50.020(2) – Dimensions for Development in Commercial Zones, is amended as set forth in Exhibit A to this Ordinance.

**Section 2. Publication and Effective Date.** A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication.

**PASSED BY THE CITY COUNCIL ON JANUARY 6, 2014**

  
Mayor Shari Winstead

ATTEST:

  
Jessica Simulcik Smith  
City Clerk

APPROVED AS TO FORM:

  
Ian Sievers  
City Attorney

Date of Publication: January 9, 2014  
Effective Date: January 14, 2014

Table 20.50.020(2) – Dimensions for Development in Commercial Zones

Note: Exceptions to the numerical standards in this table are noted in parentheses and described below.

<b>Commercial Zones</b>					
<b>STANDARDS</b>	<b>Neighborhood Business (NB)</b>	<b>Community Business (CB)</b>	<b>Mixed Business (MB)</b>	<b>Town Center (TC-1, 2 &amp; 3)</b>	
Min. Front Yard Setback (Street) (1) (2) see Transition Area setback, SMC <u>20.50.021</u> )	0 ft	0 ft	0 ft	0 ft	
Min. Side and Rear Yard Setback from Commercial Zones	0 ft	0 ft	0 ft	0 ft	
Min. Side and Rear Yard Setback from R-4, R-6 and R-8 Zones (see Transition Area setback, SMC <u>20.50.021</u> )	20 ft	20 ft	20 ft	20 ft	
Min. Side and Rear Yard Setback from TC-4, R-12 through R-48 Zones	15 ft	15 ft	15 ft	15 ft	
Base Height (23)	50 ft	60 ft	65 ft	70 ft	
Hardscape	85%	85%	95%	95%	

Exceptions to Table 20.50.020(2):

- (1) Front yards may be used for outdoor display of vehicles to be sold or leased.

(2) Front yard setbacks, when in Transition Areas (SMC 20.50.021.a) and across right-of-ways, shall be a minimum of 15 feet except on right-of-ways that are classified as Principal Arterials or when R-4, R-6, or R-8 zones have the Comprehensive Plan designation of Public Open Space.

(23) The following structures may be erected above the height limits in all commercial zones:

a. Roof structures housing or screening elevators, stairways, tanks, mechanical equipment required for building operation and maintenance, skylights, flagpoles, chimneys, utility lines, towers, and poles; provided, that no structure shall be erected more than 10 feet above the height limit of the district, whether such structure is attached or freestanding.

WTF provisions (SMC 20.40.600) are not included in this exception.

b. Parapets, firewalls, and railings shall be limited to four feet in height.

c. Steeples, crosses, and spires when integrated as an architectural element of a building may be erected up to 18 feet above the base height of the district.

d. Base height may be exceeded by gymnasiums to 55 feet and for theater fly spaces to 72 feet.

e. Solar energy collector arrays, small scale wind turbines, or other renewable energy equipment have no height limits.